

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER

VGOB 04-0921-1329

ELECTIONS: UNIT BA-115

(herein "Subject Drilling Unit")

REPORT OF BOARD

FINDINGS AND ORDER

This Supplemental Order is entered by the Board *sua sponte* in the form authorized by the Board at hearings held on February 15, 1994 and June 16, 1992; and this Supplemental Order is being recorded for the purpose of supplementing the Order previously in the captioned matter on January 13, 2005 which was recorded at Deed Book 624, Page 001 in the Office of the Clerk of the Circuit Court of Russell County, Virginia, on January 20, 2005, (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that:

The Board Order directed CNX GAS COMPANY LLC (herein "Designated Operator") to mail copies of the Board Order to all Respondents whose interests, if any, were pooled by the said Board Order;

The Designated Operator filed its affidavit of elections disclosing that it had mailed a true and correct copy of the Board's Order to all Respondents whose interests, if any, were pooled by said Board Order;

The Board Order required each Respondent whose interests, if any, were pooled by the terms of said Board Order to make an election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the affidavit of elections filed herein and annexed hereto as Exhibit A states: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of any election(s) made; and (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interests, estates and claims in Subject Drilling Unit to the Applicant;

That the affidavit of elections annexed hereto with the Exhibits submitted therewith identifies the Respondent(s) making a timely election, if any; identifies the Respondent(s), if any, who are deemed to have leased; identifies the conflicting interests and claims which require escrow; identifies the interests and claims, if any, requiring escrow under Virginia Code section 45.1-361.21.D.; and identifies the Respondents, if any, who may be dismissed by reason of having leased or entered into a voluntary agreement with the Applicant.

The affidavit of elections indicates whether or not the escrow of funds is required with regard to Unit BA-115;

Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, First Bank & Trust Company PO Box 3860 Kingsport, TN 37664, Attn: Debbie Davis or any successor named by the Board to establish interest bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in the affidavit of elections with Exhibits thereto, to receive funds and account to the Board therefore.

Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each Respondent whose interests or claims are subject to escrow and whose address is known within seven (7) days from the date of receipt of this Order.

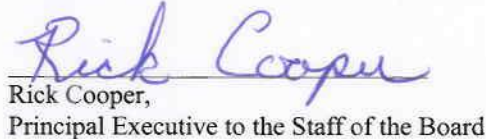
Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 14 day of June, 2012, by a majority of the Virginia Gas and Oil Board.

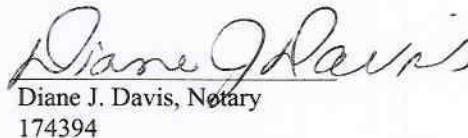

Chairman, Bradley C. Lambert

DONE AND PERFORMED THIS 14th day of June, 2012, by Order of the Board.


Rick Cooper,
Principal Executive to the Staff of the Board

STATE OF VIRGINIA
COUNTY OF WASHINGTON

Acknowledged on this 14th day of June, 2012, personally before me a notary public in and for the Commonwealth of Virginia, appeared Bradley C. Lambert, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, and appeared **Rick Cooper**, being duly sworn did depose and say that he is Principal Executive to the Staff of the Virginia Gas and Oil Board that they executed the same and were authorized to do so.


Diane J. Davis, Notary
174394

My commission expires: September 30, 2013



VIRGINIA:

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of CNX Gas Company LLC for Forced Pooling of Interests in CBM Unit BA-115
VGOB 04-0921-1329 in the New Garden District of Russell County, Virginia

AFFIDAVIT OF CNX GAS COMPANY LLC (herein "Designated Operator") REGARDING ELECTIONS,
ESCROW AND SUPPLEMENTAL ORDER

Anita D. Duty, being first duly sworn on oath, deposes and says:

That your affiant is employed by CNX Gas Company LLC, as a Pooling Supervisor and is duly
authorized to make this affidavit on behalf of CNX GAS COMPANY LLC, the designated operator,

That the Order entered on January 13, 2005, by the Virginia Gas and Oil Board (hereinafter "Board")
regarding the captioned CBM Unit required the Applicant to mail a true and correct copy of said Order to
each person pooled by the Order;

That within seven (7) days of receipt of an executed copy of the Order referred to at paragraph 2. above,
your affiant caused a true and correct copy of said Order to be mailed via the United States Postal Service to
each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who
were added as Respondents at the hearing held in the captioned matter; that proof of such mailing has
previously been tendered to the Division of Gas and Oil, the Office of the Gas and Oil Inspector, at Abingdon,
Virginia;

That the Order of the Board in the captioned matter required all persons pooled thereby to tender their
written elections to the Unit Operator within thirty (30) days of the date the Order was recorded in the counties
identified above; that said Order was recorded on January 20, 2005;

That the designated operator CNX GAS COMPANY LLC has established procedures to review all mail
received and all written documents received other than by mail to ascertain whether parties whose interests have
been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said
procedures were followed to identify the elections, if any, made with regard to the Subject Unit; that the
following persons delivered, by mail or otherwise, written elections the Unit Operator, within the thirty day
elections period:

None

That Respondents identified in Exhibit B-3 hereto are, having failed to make any election, deemed to have
leased their coalbed methane rights, interests and claims to Applicant, all as provided in the Board's Order of
January 13, 2005;

See attached Exhibit B-3

That the rights, interests and claims of the following persons are subject to escrow under the Board's Order
pooling the captioned Unit, Board Regulations and the Code of Virginia:

See attached Exhibit E

That after the pooling hearing held in the captioned matter, the following persons have entered into a voluntary agreement with the Designated Operator:

See attached Exhibit B-2

That to the extent any of said persons listed in Exhibit B-2 have rights, interests and claims which are subject to escrow, they should be dismissed as respondents; the Operator requests that the following persons be dismissed as Respondents:

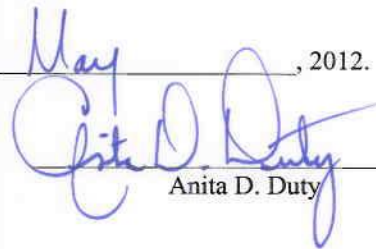
Clifford Strouth, Arfey Strouth Miller, Barbara Miller Strouth Honaker, Glenda Spencer, Maydean Ball, Geraldeane Newberry and Judy Carol Boyd

That the persons identified in Exhibit EE attached hereto have entered into royalty split agreements that allow the Applicant/Designated Operator to pay them directly without the need to escrow funds which would otherwise be in conflict.

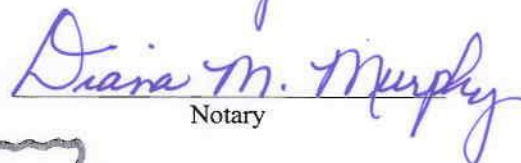
None

That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

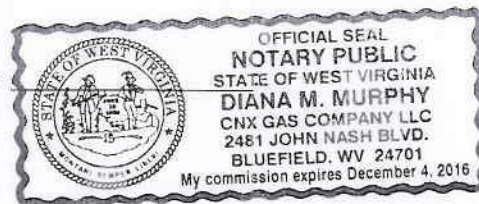
Dated at Mercer, West Virginia, this 23rd day of May, 2012.


Anita D. Duty

Taken, subscribed and sworn to before me by Anita D. Duty as a Pooling Supervisor for CNX Gas Company LLC, on behalf of the corporate Designated Operator, this 23rd day of May, 2012.


Notary

My commission expires:



PROPERTY LINES SHOWN WERE TAKEN FROM MAPS PROVIDED
BY CNX LAND RESOURCES, Inc. AND WERE NOT SURVEYED.

BOOK - 751 PAGE 0410

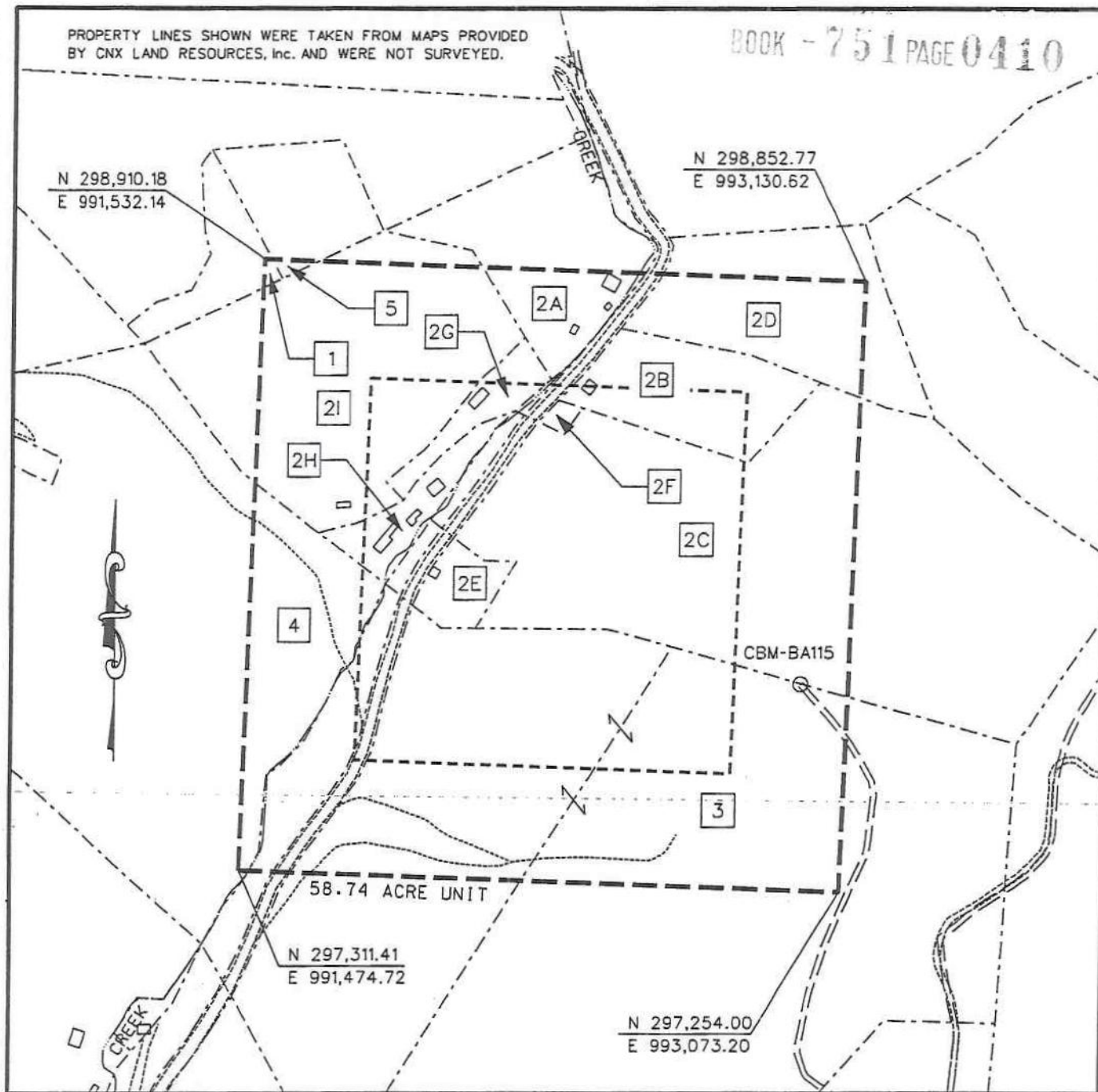


EXHIBIT A
MIDDLE RIDGE 1 FIELD
UNIT BA115
FORCE POOLING
VGOB-04-0921-1329

Company CNX Gas Company LLC Well Name and Number UNIT BA115
Tract No. _____ Elevation _____ Quadrangle Honaker
County Russell District New Garden Scale: 1" = 400' Date 8/17/04
This plat is a new plat X ; an updated plat _____ ; or a final plat _____

Form DGO-GO-7
Rev. 9/91

Charles J. May
Licensed Professional Engineer or Licensed Land Surveyor

No. 1000
Fix Seal

CNX Gas Company LLC**Unit-BA-115****Tract Identifications****(58.74 Acre Unit)**

1. **CNX Gas Company LLC – Coal**
Reserve Coal Properties Company – Coal In and Above Tiller Seam Leased
Daily Strouth, Jr. – Surface and All Minerals except Coal
0.05 acres 0.0851%

2. **Swords Creek Land Partnership Tr. 16 – All Minerals**
Consolidation Coal Company - Below Tiller Coal Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased
33.36 acres 56.7927%

- 2A. **CNX Gas Company LLC - Surface**
2B. **CNX Gas Company LLC - Surface**
2C. **James T. Dye, et ux. - Surface**
2D. **CNX Gas Company LLC - Surface**
2E. **Unknown Surface Owner**
2F. **Unknown Surface Owner**
2G. **Paul Perkins, et al. - Surface**
2H. **Ebbie Hess - Surface**
2I. **Daily Strouth, Jr. - Surface**

3. **David O. Kaylor, et al. - Fee**
Knox Creek Coal Corporation - Above Drainage Coal Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased
21.07 acres 35.8699%

4. **David O. Kaylor, et al. – All Minerals**
Knox Creek Coal Corporation - Above Drainage Coal Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased
Allen D. Kestner, et ux. - Surface
4.19 acres 7.1331%

5. **CNX Gas Company LLC – (1/6) and J. P. Strouth Heirs, Devisees, Successors or**
Assigns (5/6) - Coal
Dailey Strouth, Jr. – Surface and All Minerals except Coal
0.47 acres 0.8001%

Exhibit B-2
Unit BA-115
Docket #VGOB 04-0921-1329
List of Respondents to be Dismissed
(58.74 Acre Unit)

BOOK - 751 PAGE 0412

	Acres in Unit	Interest in Unit	Reason for Dismissal
I. COAL OWNERSHIP			
<u>Tract #5, 0.07 acres</u>			
(1) J. P. Strouth Helton Heirs, Devisees, Successors or Assigns	0.07 acres	0.1192%	
(b) Garlin Strouth Heirs, Devisees, Successors or Assigns			
(b.2) Clifford Strouth 1041 Henry Road Ferrum, VA 24088	0.003 acres 1/24 of 0.07 acres	0.0050%	Leased
(b.3) Arfey Strouth Miller P.O. Box 142 Abingdon, VA 24212	0.003 acres 1/24 of 0.07 acres	0.0050%	Leased
(b.4) Barbara Miller Strouth Honaker 17044 Northfork River Road Abingdon, VA 24201	0.003 acres 1/24 of 0.07 acres	0.0050%	Leased
(b.5) Maudie Honaker Strouth, Widow Town Square Apartment #5 Honaker, VA 24260			Life Estate Only
(f) Eartrue Spencer Heirs, Devisees, Successors or Assigns			
(f.1) Glenda Spencer P.O. Box 65 Swords Creek, VA 24649	0.003 acres 1/24 of 0.07 acres	0.0050%	Leased
(f.2) Maydean Ball Rt.2 Box 7975 Cedar Bluff, VA 24609	0.003 acres 1/24 of 0.07 acres	0.0050%	Leased
(f.3) Geraldeane Newberry P.O. Box 1652 Richlands, VA 24641	0.003 acres 1/24 of 0.07 acres	0.0050%	Leased
(f.4) Judy Carol Boyd 513 Lee Street Bristol, VA 24201-4414	0.003 acres 1/24 of 0.07 acres	0.0050%	Leased

Exhibit B-3
Unit BA-115
Docket #VGOB 04-0921-1329
List of Unleased Owners/Claimants
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
I. COAL OWNERSHIP		
<u>Tract #5, 0.07 acres</u>		
(1) J. P. Strouth Helton Heirs, Devisees, Sucessors or Assigns	0.07 acres	0.1192%
(a) Daily Strouth, Sr. Heirs, Devisees, Successors or Assigns		
(a.1) Daily Strouth, Jr. P.O. Box 54 Swords Creek, VA 24649	0.012 acres 1/6 of 0.07 acres	0.0199%
(b) Garlin Strouth Heirs, Devisees, Successors or Assigns		
(b.1) David Strouth Box 824 Honaker, VA 24260	0.003 acres 1/24 of 0.07 acres	0.0050%
(c) Ida Meadows Heirs, Devisees, Successors or Assigns		
(c.1) Lawrence Meadows HC65 Box 24 Oakwood, VA 24631	0.003 acres 1/24 of 0.07 acres	0.0050%
(c.2) Stephen L. Meadows P.O. Box 22 Rowe, VA 24646	0.003 acres 1/24 of 0.07 acres	0.0050%
(c.3) Willa May Stiltner HC65 Box 24 Oakwood, VA 24631	0.003 acres 1/24 of 0.07 acres	0.0050%
(c.4) Anna Whitt P.O. Box 190 Doran, VA 24612	0.003 acres 1/24 of 0.07 acres	0.0050%
(e) Oliver Price c/o Charlie Price Rt.1 Box 241 Swords Creek, VA 24649	0.012 acres 1/6 of 0.07 acres	0.0199%
II. OIL & GAS OWNERSHIP		
<u>Tract #1, 0.05 acres</u>		
(1) Daily Strouth, Jr. P.O. Box 54 Swords Creek, VA 24649	0.05 acres	0.0851%

Exhibit E
Unit BA-115
Docket #VGOB 04-0921-1329
List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

BOOK - 751 PAGE 0414

	Acres in Unit	Interest in Unit
<u>Tract #1, 0.05 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) CNX Gas Company LLC P.O. Box 947 Bluefield, VA 24605 <i>(previously Pocahontas Gas Partnership)</i>	0.05 acres	0.0851%
<u>OIL & GAS OWNERSHIP</u>		
(1) Daily Strouth, Jr. P.O. Box 54 Swords Creek, VA 24649	0.05 acres	0.0851%
<u>Tract #5, 0.07 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) J. P. Strouth Helton Heirs, Devisees, Successors or Assigns <i>(2.00 Acre Tract - Coal)</i>	0.07 acres	0.1192%
(a) Daily Strouth, Sr. Heirs Devisees, Successors, or Assigns		
(a.1) Daily Strouth, Jr. Rt. 2 Box 190-C Honaker, VA 24260	0.012 acres 1/6 of 0.07 acres	0.0199%
(b) Garlin Strouth Heirs, Devisees, Successors or Assigns		
(b.1) David Strouth Box 824 Honaker, VA 24260	0.003 acres 1/24 of 0.07 acres	0.0050%
(b.2) Clifford Strouth 1041 Henry Road Ferrum, VA 24088	0.003 acres 1/24 of 0.07 acres	0.0050%
(b.3) Arfey Strouth Miller P.O. Box 142 Abingdon, VA 24212	0.003 acres 1/24 of 0.07 acres	0.0050%
(b.4) Barbara Miller Strouth Honaker 17045 Northfork River Road Abingdon, VA 24201	0.003 acres 1/24 of 0.07 acres	0.0050%
(b.5) Maudie Honaker Strouth, Widow	<i>Life Estate Only</i>	
(c) Ida Meadows Heirs, Devisees, Successors or Assigns		
(c.1) Lawrence Meadows HC65 Box 24 Oakwood, VA 24631	0.003 acres 1/24 of 0.07 acres	0.0050%
(c.2) Stephen L. Meadows P.O. Box 22 Rowe, VA 24646	0.003 acres 1/24 of 0.07 acres	0.0050%

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Exhibit E
Unit BA-115
Docket #VGOB 04-0921-1329
List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
(c.3) Willa May Stiltner HC65 Box 24 Oakwood, VA 24631	0.003 acres 1/24 of 0.07 acres	0.0050%
(c.4) Anna Whitt P.O. Box 190 Doran, VA 24612	0.003 acres 1/24 of 0.07 acres	0.0050%
(e) Oliver Price c/o Charlie Price Rt.1 Box 241 Swords Creek, VA 24649	0.012 acres 1/6 of 0.07 acres	0.0199%
(f) Eartrue Spencer Heirs, Devisees, Successors or Assigns		
(f.1) Glenda Spencer P.O. Box 56 Swords Creek, VA 24649	0.003 acres 1/24 of 0.07 acres	0.0050%
(f.2) Maydean Ball 24040 US Highway 19 Cedar Bluff, VA 24609	0.003 acres 1/24 of 0.07 acres	0.0050%
(f.3) Geraldeane Newberry P.O. Box 1652 Richlands, VA 24641	0.003 acres 1/24 of 0.07 acres	0.0050%
(f.4) Judy Carol Boyd 513 Lee Street Bristol, VA 24201-4414	0.003 acres 1/24 of 0.07 acres	0.0050%
(g) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	0.012 acres 1/6 of 0.07 acres	0.0199%

OIL & GAS OWNERSHIP

(1) Daily Strouth, Jr. P.O. Box 54 Swords Creek, VA 24649	0.07 acres	0.1192%
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1201810

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT OF RUSSELL COUNTY, 8-8- 2012. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 2:57 o'clock P M, after payment of \$ tax imposed by Sec. 58.1-802.

TESTE: ANN S. McREYNOLDS, CLERK

Original returned this date to: Diane Davis

BY: Kendrick Wooten D. CLERK